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09/422,387

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EXAMINER

DINH, KHANH Q

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/422,387	Applicant(s) ZILBERSTEIN ET AL.	
	Examiner Khanh Dinh	Art Unit 2451	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-11, 14, 15 and 20-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-11, 14, 15 and 20-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Office Action sent on 7/21/2008 will be withdrawn. Claims 7-11, 14-15, 20-26 are presented for examination.

2. **Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 7-11, 14, 15 and 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoyer et al. (hereafter Hoyer), U.S. Pat. No.6,381,635 in view of Klug et al. (hereafter Klug), U.S. pat. No.5,996,007.

As to claim 7, Hoyer discloses a method for providing usage information of a first web site designated by a user (210 fig.3) (a system for screening Internet usage), the method comprising:

receiving, from the user (210 fig.3), a designation of the first web site as a monitored website (viewing the performance of monitored web sties, see co1.10 lines 44-65), wherein the monitored website is any web site on a communication network (see figs. 3, 4, abstract, co1.8 line 52 to col.9 line 33 and co1.10 lines 45-65).

monitoring usage of the monitored website (performance monitoring) and transmitting data representative of the usage (performance data measurements) to the user by way of a monitor window (display 34 fig.1) to the user (210 fig.3) (see co1.10 line 45 to co1.11 line 51).

Hoyer does not specifically disclose transferring data to user when user connected to other web site such that the user can simultaneously view the data representative of the usage and any other web site. However, Klug in the same usage monitoring environment discloses t transferring data to user when user connected to other web site such that the user can simultaneously view the data representative of the usage and any other web site (allowing user to view the usage such as data loading process when the user logs in to a web site, see

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Klug's abstract, figs.1, 2, col.4 lines 30-56, col.5 line 5 to col.6 line 21). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Klug's teachings into the computer system of Hoyer to process data information in the internet because it would have enabled users to easily view usage information at a desired location and enhanced user's engagement in a communications network.

As to claims 8 and 9, Hoyer discloses displaying to the user the usage information in a graphical format and in a text format (documents providing to user are written in HTML, see co1.6 lines 20-45 and co1.7 lines 22-65).

As to claims 10 and 11, Hoyer discloses the usage information is displayed automatically to the user and displayed only upon a command generated by the user (users clicks buttons to get access to usage information, see fig.7, co1.18 lines 17-40).

As to claim 14, Hoyer discloses a computer-readable medium encoded with processing instructions for implementing a method for providing usage information of a first web site (monitored web site) designated by a user (210 fig.3) (a system for screening Internet usage), the method comprising: receiving, from the user, a designation of the first web page as a monitored website (monitored web site) viewing the performance of monitored web sties, see co1.10 lines 44-65) wherein the monitored website is any web site on a communication network (see figs. 3, 4, abstract, co1.8 line 52 to co1.9 line 33 and co1.10 lines 45-65).

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monitoring usage of the monitored website and transmitting data representative of the usage to the user by way of a monitor window (display 34 fig.1) to the user (210 fig.3) (see col.10 line 45 to col.11 line 51).

Hoyer does not specifically disclose transferring data to user when user connected to other web site such that the user can simultaneously view the data representative of the usage and any other web site. However, Klug in the same usage monitoring environment discloses transferring data to user when user connected to other web site such that the user can simultaneously view the data representative of the usage and any other web site (allowing user to view the usage such as data loading process when the user logs in to a web site, see Klug's abstract, figs.1, 2, col.4 lines 30-56, col.5 line 5 to col.6 line 21). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Klug's teachings into the computer system of Hoyer to process data information in the internet because it would have enabled users to easily view usage information at a desired location and enhanced user's engagement in a communications network.

As to claim 15, Hoyer discloses an apparatus for providing usage information of a first web site (monitored web site) designated by a user (210 fig.3) (a system for screening Internet usage):

a processor and a memory storing instruction for controlling the processor, the processor operative with the processing instructions to:

receive, from the user (210 fig.3), a designation of the first web page as a monitored

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website (monitored web site) viewing the performance of monitored web sties (monitored web sites), wherein the monitored website is any web site on a communication network (see figs. 3, 4, abstract, co1.8 line 52 to co1.9 line 33 and co1.10 lines 45-65).

monitoring usage of the monitored website and transmitting data representative of the usage to the user by way of a monitor window (display 34 fig.1) to the user (210 fig.3) (see co1.10 line 45 to co1.11 line 51).

Hoyer does not specifically disclose transferring data to user when user connected to other web site such that the user can simultaneously view the data representative of the usage and any other web site. However, Klug in the same usage monitoring environment discloses transferring data to user when user connected to other web site such that the user can simultaneously view the data representative of the usage and any other web site (allowing user to view the usage such as data loading process when the user logs in to a web site, see Klug's abstract, figs.1, 2, col.4 lines 30-56, col.5 line 5 to col.6 line 21). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Klug's teachings into the computer system of Hoyer to process data information in the internet because it would have enabled users to easily view usage information at a desired location and enhanced user's engagement in a communications network.

As to claim 20, Hoyer discloses an indication of a most-popular next-visited web site for the plurality of users, an indication of web sites visited by the plurality of users prior to

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visiting the first web site and an indication of when and for how long the plurality of users visited the first web site (using server history and cluster history, see fig.4, col.7 lines 9-65 and co1.10 line 45 to co1.11 line 62).

As to claim 21, Hoyer discloses a method for providing usage information of a first web site designated by a first user, the method comprising:

receiving, from the first user (210 fig.3), a designation of the first web site as a monitored website (monitored web site), wherein the monitored website is any web site on a communication network see figs. 3, 4, abstract, co1.8 line 52 to col.9 line 33 and co1.10 lines 45-65).

monitoring at least one other user's usage of the monitored website and transmitting data representative (user's usage information) of the at least one other user's usage to the first user by way of a monitor window (display 34 fig.1) to the user (210 fig.3) (see co1.10 line 45 to co1.11 line 51).

transferring data to user when user connected to other web site such that the user can simultaneously view the data representative of the usage and any other web site.

However, Klug in the same usage monitoring environment discloses t transferring data to user when user connected to other web site such that the user can simultaneously view the data representative of the usage and any other web site (allowing user to view the usage such as data loading process when the user logs in to a web site, see Klug's abstract, figs.1, 2, col.4 lines 30-56, col.5 line 5 to col.6 line 21). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to

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incorporate Klug's teachings into the computer system of Hoyer to process data information in the internet because it would have enabled users to easily view usage information at a desired location and enhanced user's engagement in a communications network.

Claims 22-26 are rejected for the same reasons set forth in claims 8-11 and 20 respectively.

Response to Argument

5. Applicant's arguments with respect to claims 7-11, 14, 15 and 20-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Claims 7-11, 14, 15 and 20-26 are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Khanh Dinh/

Primary Examiner, Art Unit 2451